

THE

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Judge Diaz: The Not-So-Business Part

BY TRICIA MORVAN DERR

"You Googled me?" Judge Diaz questioned. It was early in the lunch hour and he already looked offended. I hadn't even asked my first question yet.

I felt a tinge of embarrassment rise to my cheeks. I considered lying and saying that I really hadn't been snooping online, but before I could muster up the strength to say anything, he threw his head back and guffawed, finding humor in my discomfort.

"So what'd you find out?" he asked, baiting me.

"That you're from Chicago," I said, trying to look confident.

"Actually, Brooklyn," he corrected me, still grinning. (I plainly hadn't yet recovered from the Google incident.)

Judge Albert Diaz is an unavoidably serious-looking man, with small wire-rimmed glasses and a tall, intimidating stature. In the courtroom, he lives up to his image and maintains a no-nonsense approach to the cases he handles. He is well respected by the Bar and by his colleagues on the bench. At City Tavern during lunch, he was unexpectedly relaxed, cracking jokes and laughing—sometimes at me, but more often at himself. I found myself laughing with him under either circumstance.

It is this seeming paradox

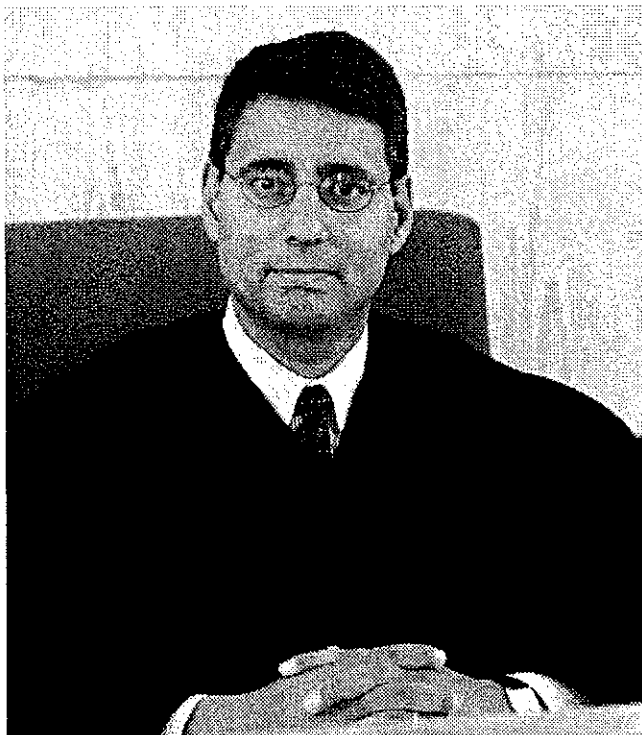
of self-discipline, deliberation, and a willingness to laugh that has made Judge Diaz so successful in the practice of law and now as Charlotte's first Business Court judge. At just 45 years old, he is by far the youngest judge appointed to the North Carolina Business Court.

He comes from Williamsburg Hamlet in Brooklyn, New York. Williamsburg is a modest community with a mixture of cultures and backgrounds. It was considered a "problem neighborhood" when Judge Diaz grew up there with his divorced mom and two younger brothers.

His mother, an immigrant from Puerto Rico, was a

strong woman who struggled to make ends meet for herself and her three boys. She recognized the opportunities for children growing up in America and pushed her boys to make better lives for themselves. She was a strict disciplinarian, insisting that her boys do well in school and behave respectfully.

"I don't know how to say this the right way, but basically she'd come after us with the broom," Judge Diaz said, laughing out loud. "Really, she did—she had to—it was the only way to control us. She had a good heart," he said, nodding his head and remembering his mom. I could hear the Puerto Rican inflection in his voice as he reminisced about his



Special Superior Court Judge for Complex Business Cases Albert Diaz

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childhood and the mother who gave him the determination to succeed and to give back to the country that offered so much.

Before his high school graduation, when he was just 17, Judge Diaz brought a Marine recruiter home for dinner.

"So what did your mom have to say about that?" I asked.

"She got out her broom," he said, "and then we had dinner."

The first time Judge Diaz left New York was when he went to Parris Island, South Carolina, for boot camp. The drill instructor quickly noticed his smarts and made him his scribe, better known as an "admin rat" or "house mouse." This could have been a posh job, except Judge Diaz could not stop cracking up at the drill instructor's creative insulting of the recruits.

"I got fired every day because I couldn't keep from laughing," he said. "The drill instructor would make me do mountain climbers and push-ups, and then he would hire me back again."

His military career lasted 25 years. "It gave me a sense of purpose and discipline," he said. It also got him through college at the University of Pennsylvania, a law degree from New York University, and a Master of Business Administration from Boston University.

He met his wife in college. "At first, she thought I was a hood," he said. "I had slicked-back hair, polyester pants, and cockroach-killing shoes." They were married in 1984.

Judge Diaz promised his new wife a house and a life in California. "We ended up in Twentynine Palms, which sounds great, but was in the Mojave Desert. My first mistake was that I requested to be stationed in California, but I didn't say where. My second mistake was picking the house without my wife."

He found a great deal on a house for rent in the desert. It was a perfect house with a perfect price tag; however, the previous owner was a carnival operator who left his legacy with the house: a huge pink concrete hippo on the roof of the house. "My wife turned white when she saw it," he said, lifting his glasses and wiping the laughter from his eyes, "but you would never have a problem finding it. Just look for the pink hippo in the desert!"

Years later, he wound up in Charlotte with his wife, two children, and a job at the Hunton & Williams law firm.

"A lot of life is luck," he said, "and a lot of it is recognizing opportunity." In 2002, Judge Diaz was in the running for partner at his firm when, by default, he took on a pro bono project and created the opportunity for his true calling.

The project was an appointment on the State Judicial Council, which is where he met Hampton Dellinger, chief legal counsel to Governor Michael F. Easley. Judge Diaz's quick wit and keen business sense impressed Dellinger, who passed along his name and biography to the governor. Easley was equally impressed and recommended Diaz for appointment to the Mecklenburg County Superior Court in late 2001.

He served as a resident superior court judge in Mecklenburg County for one year before being appointed as a special superior court judge. In August 2005, Chief Justice I. Beverly Lake appointed him to North Carolina's Business Court where he now handles the most complex business cases.

"Where do you see yourself 10 years from now?" I asked.

"Where do I see myself in 10 years? Well, I think I am just where I want to be." ❧

Upcoming Events

December 13, 2006

MCB Holiday Party

Date: Wednesday, December 13, 2006

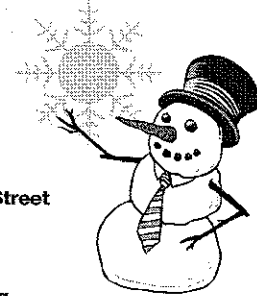
Time: 6:00 p.m.

Location: The Big Chill, 911 East Morehead Street

Cost: \$15 for MCB members

Registration: Deadline is December 6, 2006.

Please register at www.meckbar.org



January 26, 2007

Lawyers Luncheon Series with Jack Boger

Date: Friday, January 26, 2007

Time: 12:00-1:30 p.m.

Location: First Presbyterian Church, 200 W. Trade Street

Cost: \$10

Registration: Deadline is January 19, 2007. Registration form insert in this issue or at www.meckbar.org

President's Letter

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and LSE assure that regardless of income, poor folks get a slice of justice.

Support from the Mecklenburg County Bar is critical for each of these agencies to continue providing services in our community. Last year, donations to the Access to Justice Campaign exceeded \$300,000 and helped LSSP, LANC, and LSE provide legal services to countless individuals. Without this support, these agencies would have to cut the number of lawyers and support staff providing services, and they would be forced to help fewer people. The reality is that of those who meet the economic means test and who have a problem that can be addressed by legal services, we

have resources to help only about one of five families who come through the doors.

Our Bar members have been generous to the Campaign every year. But the need is greater as the number of our fellow citizens living in poverty has increased. We must not forget the families here in Mecklenburg who must deal with the daily struggles of living in poverty. It is on behalf of our poor brothers and sisters that I appeal to the members of the Mecklenburg County Bar to support this year's Access to Justice Campaign and give generously. Please join with me in giving at least one billable hour to the Campaign. The Campaign begins November 29 and runs through December. ❧

EDITORIAL POLICY

The Mecklenburg Bar News accepts editorial and advertising material of general legal interest to the practicing Bar of the 26th Judicial District. The implicit purposes of the newsletter, website, and related methods of communication are to educate members of the Mecklenburg County Bar and to create and maintain shared communication with its members. The Communications Committee reserves the right to accept, reject, or edit all material.

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Special Counsel is pleased to announce that **Kevin Profit** has been named Executive Director of Special Counsel for North and South Carolina.

831 E. Morehead St., Ste. 540
Charlotte, NC 28202
(704) 338-9200
kevin.profit@specialcounsel.com
www.specialcounsel.com



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